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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,703	09/15/2003	Zhidan Cheng	200-10900 (PB030016AF)	1029
56929 7590 01/10/2008 LAW OFFICES OF MARK C. PICKERING P.O. BOX 300 PETALUMA, CA 94953			EXAMINER WILSON, ROBERT W	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/662,703

Applicant(s)

CHENG ET AL.

Examiner

Robert W. Wilson

Art Unit

2619

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

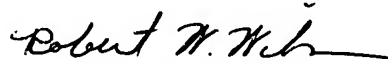
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


Robert W. Wilson
Examiner
Art Unit: 2619
1/9/08

Continuation of 11. does NOT place the application in condition for allowance because: The examiner respectfully disagrees with the applicant argument relative to the 112/2nd rejection has been traversed relative to claim 13. The examiner appreciates receiving the applicant clarification that the XDSL line cards are the first plurality of line card and the second line card can be interpreted as the network line card. The examiner still believes that using a plurality of a first line cards and a second line card is still confusing because the second card could still be interpreted as one of the plurality of line cards. The examiner respectfully disagrees with the applicant argument that the 112/ 1st and 2nd rejection relative to the limitation "IP address has associated submask that identifies the IP address of all customer interface devices has been traversed. Just because the same wording is used in the specification and the claim does not mean that the limitation is enabled. The examiner believes that the applicant may be describing a submask with a header extension field which provides information which identifies all of the devices. The applicant's specification does not provide a satisfactory written description for one of ordinary skill in the art to know what this submask is let alone how to assess the metes and bounds of this claimed limitation. The applicant did not provide any argument relative to the prior art rejection of a limitation that was not met. The applicant did state that they did not understand the reasoning relative to the motivation to combine. The examiner provide the following explanation which he hopes will help the applicant understand the reasoning. Referring to claim 1, Admitted Prior Art teaches: a device (100 per Fig 1) comprising: a bus (110 per Fig 1) ; a plurality of first line cards (116 per Fig 1) connected to the bus (110 per Fig 1) each first line card having a plurality of local ports (96 local port per Pg 1 line 10 to Pg 2 line 11) the plurality of local ports being associated with a plurality of customer device that have a plurality of IP addresses (inherent customer devices with inherent IP address is connected via 118 per Fig 1) and a second line card (112 per Fig 1) connected to the bus (110 per Fig 1) having a network port that is connectable to a network segment (112 per Fig 1 has an inherent network port which is connected to 114 per Fig 1 or network segment) the network port having an IP address and a subnet mask (The network port has an IP address and an inherent subnet mask per Pg 1 line 10 to Pg 2 line 11)The admitted Prior Art does not expressly call for: the network port identifying a range of IP address from the IP address of the network port, the range of IP address including all of the plurality of IP address of the plurality of customer devices Bhatia teaches: the network port identifying a range of IP address from the IP address of the network port, the range of IP address including all of the plurality of IP address of the plurality of customer devices (The LAN modem maintains the list of IP addresses associated with the workstations or customer devices and upon receipt of a packet from the network side can determine which workstation or customer device should receive the packet per col. 4 line 46 to col. 6 line 17)It would have been obvious to one of ordinary skill in the art at the time of the invention to add the network port identifying a range of IP address from the IP address of the network port, the range of IP address including all of the plurality of IP address of the plurality of customer devices of Bhatia to the network port of the Admitted Prior Art in order for the network port to forward traffic from the network to the customer devices by improving the performance. The second reference is combined with the first reference in order for the traffic to be forwarded thus improving the performance. .